

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Western District of Texas**FILED**

November 16, 2021

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

United States of America

v.

BY: Rita Velez
DEPUTY

Case No.

EP: 21-M-2467-MAT

Eduardo DUARTE-Estrada*Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 15, 2021 in the county of El Paso in the
Western District of Texas, the defendant(s) violated:*Code Section*

18 U.S.C. 1546(a)

Offense Description

when applying for admission to the United States, did knowingly personate another and attempt to evade immigration laws by appearing under the assumed or fictitious name.

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.Complaint sworn to telephonically on
November 16, 2021 and signed electronically.
FED.R.CRIM.P. 4.1(b)(2)(A)
*Complainant's signature*Mayra Silva
CBP Enforcement Officer
Printed name and title

Sworn to before me and signed in my presence.

Date: November 16, 2021City and state: El Paso, Texas
Printed name and title
*Judge's signature*Miguel A. Torres
United States Magistrate Judge

FACTS

On or about November 15, 2021, Eduardo DUARTE-Estrada, a citizen and national of Mexico applied for admission into the United States from Mexico via pedestrian primary at the Paso Del Norte Port of Entry, in El Paso, Texas located in the Western District of Texas. The DEFENDANT presented to Customs and Border Protection Officer (CBPO) M. Manqueros a genuine El Paso County birth certificate bearing the name of another with the initials of E.R.L and represented himself to be that person.

CBPO M. Manqueros asked the DEFENDANT to state his citizenship and his place of birth. The DEFENDANT stated that he is a United States citizen born in El Paso Texas. CBPO M. Manqueros asked the DEFENDANT for his intentions upon traveling into the United States. The DEFENDANT stated that he was going shopping in El Paso. CBPO M. Manqueros asked the DEFENDANT if the document presented for admission was his. The DEFENDANT claimed ownership of the document. CBPO M. Manqueros conducted a routine query on the document presented for admission and noticed another entry document linked to the name on the birth certificate. CBPO M. Manqueros noticed the defendant did not resemble the picture on the entry document linked to the birth certificate. At this point, the DEFENDANT was referred to Passport Control Secondary (PCS) for further inspection.

In secondary, the DEFENDANT admitted that he is a citizen and national of Mexico without any proper documents with which to enter or reside in the United States. The DEFENDANT stated his true name and identity. The DEFENDANT stated that he purchased the document presented for admission from a vender in Cd. Juarez and paid approximately \$3,000 Mexican pesos. Furthermore, the DEFENDANT stated that his intentions upon entering the United States were to reside and seek employment. At this time, the DEFENDANT was served form I-214 Warning as to Rights (Spanish Version) which he read, understood, and waived his to legal representation.

In a sworn statement, the DEFENDANT stated that he understood it was a crime to present a document not legally issued to him for the purpose of admission into the United States. Furthermore, he stated he left his country of residence to seek employment in the United States.

Further queries indicate that DEFENDANT does not have any documents allowed to legally enter and remain in the United States.

Because this Affidavit is being submitted for the limited purpose of establishing probable cause as set forth herein, I have not included each and every fact known to me concerning this investigation.

CRIMINAL AND IMMIGRATION RECORD

CRIMINAL RECORD

None

IMMIGRATION RECORD

None